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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/689,903

Filing Date: October 21, 2003

Appellant(s): WEISSMAN ET AL.

John F. Conroy
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed October 29, 2007 appealing from the Office action mailed June 27, 2007.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

WITHDRAWN REJECTIONS

The following grounds of rejection are not presented for review on appeal because they have been withdrawn by the examiner:

The rejections of claims 1-27 and 36-40 under 35 USC 101 have been withdrawn as applicable 35 USC 101 requirements no longer exist.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,484,161

CHIPALKATTI et al

11-2002

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-4, 6-28, 30-31, and 36-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Chipalkatti et al (US Patent No. 6,484,161, Filing Date of Patent: March 31, 1999).

Claims 1 and 14:

Claims 1 and 14 discloses a method and an article comprising one or more computer readable media containing program code operable to cause one or more

machines to perform operations, utilizing the same functionality, wherein Chipalkatti discloses a method and an article comprising one or more computer readable media containing program code operable to cause one or more machines to perform operations, comprising:

receiving a source article (column 17, lines 34-36, wherein this reads over "the resulting HTML including the data in display format is delivered to the user's browser, Chipalkatti);

identifying a plurality of regions in the source article (column 20, lines 60-62, wherein this reads over "it is assumed that a search returns a plurality of objects corresponding to n categories and up to m listings for each of the categories and columns 21-22, lines 64-67 and lines 1-2, wherein the categories corresponding to the retrieved documents are displayed, the PHTM execution trees may cause the parse driver to obtain information from the generic object dictionary that identifies each category, Chipalkatti);

determining at least one local concept **expressed in** each region (column 34, lines 31-34, wherein this reads over "the information retrieval software may determine categories into which the retrieved documents fall, Chipalkatti);

analyzing the local concepts of each region to identify **one or more** unrelated **concepts** (column 34, lines 43-50, wherein this reads over "the information retrieval software may compare the categories identified to the terms in the user query wherein if categories are present that do not include any of the terms in the user query, then such

categories may be disregarded, thus the user will not retrieve categories that are unrelated to the user query, such categories might otherwise appear for example, if the information retrieval software retrieves a business listing that is associated with two unrelated categories only one of which is relevant to the user query, Chipalkatti);

eliminating the **unrelated** concepts (column 34, lines 55-57, wherein the bowling category would be discarded because the user query for a restaurant is unrelated to the bowling category, Chipalkatti);

from a determination of source meaning for the source article (column 34, lines 57-67 respectively, Chipalkatti); and

matching the **source article** with an item **selected** from a set of items **based at least in part on a relationship between the source meaning and a meaning of the item** (column 37, lines 2-16, respectively, Chipalkatti).

Claims 2 and 15:

Regarding claims 2 and 15, Chipalkatti teaches **wherein the operations further comprise** displaying the matched item on the source article (Figure 44, all, features, wherein its further defined in column 37, lines 2-8 to be “if the user enters the category “art supplies”, the information retrieval software may retrieve a set of matching categories that relate to art supplies, wherein the retrieved categories may be order alphabetically by, order of significance, or grouped by sub categories”, Chipalkatti).

Claims 3 and 16:

Regarding claims 3 and 16, Chipalkatti teaches wherein the source article **comprises** a web page (column 8, lines 27-37, respectively, Chipalkatti); and the matched item **comprises** a keyword (Figure 11, all features and column 31, lines 22-26, wherein the following information is extracted from the original query string as formed by the parser: category, category id, keywords, and etc, Chipalkatti).

Claims 4 and 17:

Regarding claims 4 and 17, Chipalkatti teaches wherein the source article **comprises** a web page (column 8, lines 27-37, respectively, Chipalkatti); and the matched item **comprises** an advertisement (Figure 15, all features, wherein its further defined in column 10, lines 32-37, to be the business listings relating to the user specified search criteria selection relating to “custom made shoes”, wherein the user select one of the businesses for more information pertaining to the business such as directions and business provided advertisements, Chipalkatti).

Claims 5 and 18:

Regarding claims 5 and 18, Chipalkatti teaches **wherein the operations** further **comprise** displaying content associated with the matched item on the source article (column 10, lines 53-57, wherein if this is the correct business a user may select a

displayed business for example, by clicking on the matching business, information and in response to selecting the matching business the screen display may be displayed to a user, Chipalkatti).

Claims 6 and 19:

Regarding claims 6 and 19, Chipalkatti teaches wherein the source article **comprises** a web page (column 8, lines 27-37, respectively, Chipalkatti); the matched item **comprises** a keyword (column 33, lines 12-17, respectively, Chipalkatti); and

the associated content **comprises** an advertisement (Figure 39, all features, wherein its further defined in columns 32-33, lines 45-67 and lines 12-17, Chipalkatti).

Claims 7 and 20:

Regarding claims 7 and 20, Chipalkatti teaches wherein the source article **comprises** a first web page (column 8, lines 27-37, respectively, Chipalkatti); the matched item **comprises** a second web page; and the associated content **comprises** an advertisement (column 37, lines 3-16, Chipalkatti).

Claims 8 and 21:

Regarding claims 8 and 21, Chipalkatti teaches wherein the source article **comprises** a first web page (Figure 14, all features, wherein the first web page is defined, Chipalkatti);

the matched item **comprises** a second web page; and the associated content **comprises** a link to the second web page (Figures 14 and 15, all features, wherein shoes –custom made, i.e. diagram 1862 is selected in first page and wherein Figure 15, equivalent to second web page, wherein listing are illustrated, wherein these two figures are further defined in column 10, lines 19-37, Chipalkatti).

Claims 9 and 22:

Regarding claims 9 and 22, Chipalkatti teaches wherein matching the source article with the item **comprises matching the source article with the item using a** biasing factor (columns 26-27, lines 65-67 and lines 1-17, respectively, Chipalkatti).

Claims 10 and 23:

Regarding claims 10 and 23, Chipalkatti teaches the source meaning **comprises** a vector of weighted concepts (column 25, lines 1-7, wherein the weight is define within table and column 34, lines 19-28, wherein a variety of weighting algorithms can be used to rank documents identified according to the information stored in the term list, and so forth, Chipalkatti).

Claims 11 and 25:

Regarding claims 11 and 25, Chipalkatti teaches wherein:

determining at least one local concept comprises determining a score for each local concept (column 30, lines 1-6, wherein the following types of fields of information are stored according to relevance information and advertiser priority, in which the relevance information is verify specific information as it relates to the query, wherein this generally represents the frequency of words or terms in the document, Chipalkatti); and

the local concept with the highest score **in each region comprises a most relevant local concepts concept for that region** (column 30, lines 8-16, respectively, Chipalkatti).

Claims 12 and 26:

Regarding claims 12 and 26, Chipalkatti teaches wherein identifying unrelated regions comprises:

determining a revised score for each local concept (columns 40-41, lines 64-67 and lines 1-17, Chipalkatti);

determining a ranked global list of all local concepts based on the revised scores (column 26, lines 50-52, respectively, Chipalkatti);

removing local concepts whose combined revised score contributes less than a predetermined amount of a total score **of** the global list to produce a resulting list (Figure 4, diagram 834, wherein its further defined in column 7, lines 1-11, Chipalkatti);

identifying unrelated regions **without a** most relevant local **concept** on the resulting list (REFER to claim 1, wherein this limitation has already been addressed, Chipalkatti); and

removing local concepts **expressed in** the unrelated regions from the resulting list to produce a list of relevant concepts (REFER to claim 1, wherein this limitation has already been addressed, Chipalkatti).

Claims 13 and 27:

Regarding claims 13 and 27, Chipalkatti teaches wherein determining **the source meaning comprises** normalizing the revised scores for the relevant concepts (Figure 25, diagram 900, wherein normalized data is illustrated and further defined in column 13, lines 57-60 and columns 40-41, lines 64-67 and lines 1-17, Chipalkatti).

Claim 24:

Regarding claim 24, Chipalkatti teaches wherein **eliminating the unrelated concepts comprises** ranking the **related** local concepts (column 26, lines 50-52 and column 49, lines 50-52, wherein program code is defined to be JAVA, Chipalkatti).

Claim 28:

Regarding Claim 28, Chipalkatti teaches a method comprising:

accessing a source article (column 5, lines 58-61, Chipalkatti);

identifying a first content region and a second content region in the source article; (column 5, lines 58-67, Chipalkatti);

determining a first local concept **expressed in the first content region** and determining a second local concept **expressed in the second content region** (column 40, lines 56-63);

matching the first content region with a first advertisement from a set of advertisements based at least in part on the first local concept (column 34, lines 43-57, Chipalkatti);

matching the second content region with a second advertisement from the set of advertisements based at least in part on the second local concept (column 37, lines 2-19, Chipalkatti); and

displaying the matched advertisement on the source article (Figure 44, all features, Chipalkatti).

Claim 30:

Regarding claim 30, Chipalkatti teaches wherein **displaying the matched advertisements comprises:**

displaying the first advertisement in the first content region (column 24, lines 31-34, wherein the first request results in a query of all the restaurants within thirty miles of Boston, and this query data is placed in the data query cache, Chipalkatti); and

displaying the second advertisement in the second content region (column 24, lines 34-42, wherein the first request results in a query and the second request results in a query, wherein the second request is performed quickly by using the data query cache information and searching for a subset of the cached data indicated the restaurants, Chipalkatti).

Claim 31:

Regarding claim 31, Chipalkatti teaches wherein the source article **comprises a** web page (Figure 15, all features, wherein its further defined in column 10, lines 32-37, Chipalkatti).

Claim 36:

Regarding Claim 36, Chipalkatti teaches a method comprising:
receiving a document (Refer to claim 1, wherein this limitation is substantially the same/or similar, and therefore rejected under the same grounds, Chipalkatti);
identifying a collection of different regions in the document (Figure 36, all features, wherein this diagram is further defined in column 29, lines 39-67 and column

30, lines 1-2, wherein each data set, diagram 250 includes header information and the information corresponds to one or more businesses listings and each business listing, diagram 254 includes information that describes the business listing, Chipalkatti);

determining concepts expressed in each of the different regions in the collection (Refer to claim 1, wherein this limitation is substantially the same/or similar, and therefore rejected under the same grounds, Chipalkatti);

identifying a first concept expressed in a first region, where the first concept is unrelated to concepts expressed in other regions in the collection (Refer to claim 1, wherein this limitation is substantially the same/or similar, and therefore rejected under the same grounds, Chipalkatti);

excluding the first concept from a determination of a source meaning of the document (Refer to claim 1, wherein this limitation is substantially the same/or similar, and therefore rejected under the same grounds, Chipalkatti);

determining the source meaning for the document (Refer to claim 1, wherein this limitation is substantially the same/or similar, and therefore rejected under the same grounds, Chipalkatti); and

making the source meaning available to a user (column 16, lines 17-18, wherein an HTML page is generally formed and displayed to the user, Chipalkatti).

Claim 37:

Regarding Claim 37, Chipalkatti teaches wherein identifying the collection of different regions in the document comprises identifying frames in a web page document (Figure 13, wherein more tools are defined, which includes shop online, consumer guide, web site search, and etc, wherein this is interpreted to be the frames in a web page document, Chipalkatti).

Claim 38:

Regarding Claim 38, Chipalkatti teaches wherein identifying the collection of different regions in the document comprises identifying the different regions based on markup in the document (Figure 22, all features, wherein this illustrates different regions based on a business information document, Chipalkatti).

Claim 39:

Regarding Claim 39, Chipalkatti teaches wherein determining the concepts comprises identifying collections of related words in each of the different regions in the collection (column 33, lines 55-57, wherein expanded to include synonyms and terms that are determined to be related to the words in the business listings, wherein the business listings are categorized in different regions according to Figure 36, diagrams 254, 256, and 258, Chipalkatti).

Claim 40:

Regarding Claim 40, Chipalkatti teaches wherein based on the concepts expressed in each of the different regions in the collection, selecting one or more advertisements (column 16, lines 18-21, wherein the HTML page may be formed by the parser after interaction with the data manager and query engine to select a specific number of items to be displayed to the user, Chipalkatti); and

making the document and the selected advertisements available for output to a user (column 16, lines 17-18, wherein an HTML page is generally formed and displayed to the user, Chipalkatti).

(10) Response to Argument

Ground 2: Examiner's response to Appellants' Argument 2 (Claims 1-28, 30-31, and 36-40): Chipalkatti DOES anticipate the subject matter of the noted claims.

Referring to claim 1, Appellant argues that Chipalkatti fails to teach the term 'source article' as claimed, specifically that the search results comprising returned categorized documents are not source articles. Appellant points to the instant specification to support their argument, however, nowhere in the specification is there a definition of the term 'source article' as Appellant intends to define. During examination, claims are given the broadest reasonable interpretation consistent with the specification.

See *In re Morris*, 127 F.3d 1048, 44 USPQ2d 1023 (Fed. Cir. 1997). Examiner respectfully asserts that the search results of Chipalkatti that comprise categorized

document objects are received by a user's browser (Fig. 29 and related portions of specification), and therefore reads on 'receiving a source article'.

Referring to claim 1, Appellant argues that Chipalkatti fails to teach the term 'concept' as claimed, specifically that the 'business listings' categories in Chipalkatti are not concepts. However, Examiner respectfully disagrees. Examiner submits that Chipalkatti discloses that business listings are stored by category and are furthermore stored by synonyms (col. 33, lines 21-34; col. 34, lines 29-61). Examiner submits that the fact that the categories of business listings are stored synonymously indicates that the business listings are in fact concepts as described in the instant specification as 'having a cluster or set of words or terms associated with it, where the words or terms can be, for example, synonyms' (para. 19). Therefore Examiner maintains that Chipalkatti does teach the claimed 'concepts'.

Referring to claim 1, Appellant argues that Chipalkatti fails to teach 'determining a source meaning of a source article'. However, Examiner respectfully disagrees. Examiner submits that Chipalkatti discloses determining whether the categories of the retrieved documents set match the terms of the user query, thereby determining by synonyms, whether the categories are related (col. 34, lines 29-67), which reads on 'determining a source meaning of a source article'. Furthermore, the instant specification states that a 'source meaning' can include weighted concepts (para. 26). Examiner submits that Chipalkatti discloses that the business categories are weighted and ranked (col. 34, lines 19-28), which reads on the limitation 'source meaning'. As

such, Examiner maintains that Chipalkatti does teach 'determining a source meaning of a source article'.

Referring to claim 1, Appellant argues that Chipalkatti fails to teach 'matching a source article with an item selected from a set of items based at least in part on the relationship between the source meaning and the meaning of the item'. However, Examiner respectfully disagrees. Chipalkatti discloses that the search results of 'art supplies' category maybe be ordered alphabetically, by order of significance or grouped into subcategories or documents which may be selected by the user (col. 37, lines 3-12). Examiner submits that because Chipalkatti discloses that the search results categories can be ordered, for example, by order of significance and alphabetically, they *must* be matched with at least one of the other resulting categories in order to do so. Therefore, Examiner maintains that Chipalkatti does teach 'matching a source article with an item selected from a set of items based at least in part on the relationship between the source meaning and the meaning of the item'.

The rejections of claims 14 and 36 are also maintained for the same reasons as claim 1 above.

Referring to claims 2 and 15, Appellant argues that Chipalkatti fails to teach 'displaying the matched item on the source article'. However, Examiner respectfully disagrees. Examiner submits that Chipalkatti discloses that the categories ordered

alphabetically are displayed in the search results shown in Fig. 44. As such, Examiner maintains that Chipalkatti does teach 'displaying the matched item on the source article'.

The rejections of claims 3-13, 16-27, and 37-40 that depend from claims 1, 14, and 36 are also maintained for the reasons stated above.

Referring to claim 28, Appellant argues that Chipalkatti fails to teach the term 'content region' as claimed and points to the instant specification to support their argument, however, nowhere in the specification is there a definition of the term 'content region'. During examination, claims are given the broadest reasonable interpretation consistent with the specification. See *In re Morris*, 127 F.3d 1048, 44 USPQ2d 1023 (Fed. Cir. 1997). Examiner respectfully asserts that the GTE Superpages Internet online query tool of Chipalkatti comprises 'business name/category' and 'address' content regions that read on the first and second content regions claimed (Fig. 3, elements 1802 and 1804). As such, Examiner maintains that Chipalkatti does teach the term 'content region' as claimed.

Still referring to claim 28, Appellant argues that Chipalkatti fails to teach 'determining a first local concept expressed in the first content region and determining a second local concept expressed in the second content region'. However, Examiner respectfully disagrees. Chipalkatti discloses performing a 'name match' procedure for business name entries and also performing a 'derive score' procedure for zipcode or address entries (col. 40, lines 54-63). As such, Examiner maintains that Chipalkatti does

teach 'determining a first local concept expressed in the first content region and determining a second local concept expressed in the second content region'.

The rejections of claims 30 and 31 are also maintained for the same reasons as claim 28 above.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Cheryl M Shechtman

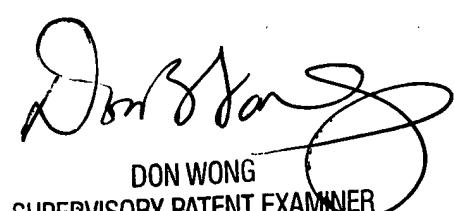
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